REMARKS

Claims 1-11 are all the claims pending in the present application. In summary, the Examiner maintains the rejections set forth in the previous Office Action. Specifically, claims 1, 2, 4-6, and 11 remain rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Konno in view of Yoshizawa (U.S. Patent No. 6,414,586) and Carlo (U.S. Patent No. 5,449,957), and in further view of Iijima (U.S. Patent No. 5,708,307). Claim 3 remains rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Konno in view of Yoshizawa, Carlo, Iijima, and further in view of Lipschutz (U.S. Patent No. 4,583,148). Claim 7 remains rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Konno in view of Yoshizawa, Carlo, Iijima, and further in view of Mueller et al. (U.S. Patent No. 6,140,914). Finally, claims 8-10 remain rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Konno in view of Yoshizawa, Carlo, Iijima, and further in view of Espinosa (U.S. Patent No. 5,448,218).

Applicant traverses the rejections at least based on the following reasons.

§ 103(a) Rejections (Konno / Yoshizawa / Carlo / Iijima) – Claims 1, 2, 4-6, and 11

Claims 1, 2, 4-6, and 11 are rejected based on the reasons set forth on pages 2-9 of the present Office Action, and the Examiner adds a few new arguments in the *Response to Arguments* section of the Office Action.

With respect to independent claim 1, Applicant previously argued that the applied references, either alone or in combination, do not disclose or suggest at least, "said operation-equipment operation determining part permits the operation of said engine by using said permission information in said nonvolatile memory, when said engine is restarted in a predetermined time after generation of said permission information," and "a nonvolatile memory

for storing said permission information," as recited in claim 1. *See pages 2-3 of Response dated June 27, 2007.* In response, the Examiner alleges:

> Applicant argues that Carlo lacks permitting operation of an engine by using permission information in a nonvolatile memory. The argument is not persuasive because the rejection is based on a combination of references where Carlo permits operation of an engine by control circuit 80 using status held by timer 92 and/or 108 for a predetermined time after recognizing or correlating a received ID code. See col. 5, line 37- col. 6, line 44 and col. 7 lines 10-47 of Carlo. Nonvolatile memory would have been obvious in view of the holding means 23 for holding indication of correlation in Konno and/or EEPROM 35 of Yoshizawa that is nonvolatile memory associated with microprocessor 34 suggested by Carlo disclosing timer being part of a microprocessor.
>
> Further, the rejection applies Iijima to clearly teach replacing such holding circuits for restart with a non volatile EEPROM. See col. 1, lines 51-53 and col. 4, lines 53-62.

In response, Applicant submits that the cited portions of Carlo only teach that electromagnetic coded signals S are transmitted approximately every ten seconds for the purpose of identifying an authorized operator of a vehicle. The signals S are transmitted to a receiver decoder 86 indicating that an operator remains within the vicinity of a vehicle. However, nowhere do either of the applied references (including Carlo) disclose or suggest permitting the operation of the engine by using the permission information in the non-volatile memory, when the engine is restarted in a predetermined time after generation of the permission information. There is no discussion of any predetermined time after generation of the permission information.

Further, even if, *arguendo*, Yoshizawa discloses an EEPROM 35, there is no teaching or suggestion that EEPROM 35 stores permission information for permitting the operation of an engine in a non-volatile memory.

Therefore, at least based on the foregoing as well as the arguments set forth in the previous Response, Applicant submits that claim 1 is patentably distinguishable over the applied references, either alone or in combination.

Applicant submits that independent claim 2 is patentable at least based on reasons similar to those set forth above with respect to claim 1.

Applicant submits that dependent claims 4-6 and 11 are patentable at least by virtue of their respective dependencies from independent claims 1 and 2.

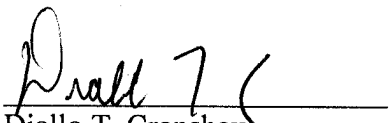
Rejections of Dependent Claims 3 and 7-10

We would argue that dependent claims 3 and 7-10 are patentable at least by virtue of their respective dependencies from independent claims 1 and 2. The secondary references do not make up for the deficiencies of Konno, Yoshizawa, Carlo, and Iijima.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Diallo T. Crenshaw
Registration No. 52,778

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: December 10, 2007